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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/914,295

08/27/2001

Samuel Anderson

36-1481

4008

23117

7590

04/30/2008

NIXON & VANDERHYE, PC

901 NORTH GLEBE ROAD, 11TH FLOOR

ARLINGTON, VA 22203

EXAMINER

FRIENEL, VANEL

ART UNIT

PAPER NUMBER

3687

MAIL DATE

DELIVERY MODE

04/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/914,295	ANDERSON ET AL.	
	Examiner	Art Unit	
	VANEL FRENEL	3687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) <input type="checkbox"/> Notice of Informal Patent Application
6) <input type="checkbox"/> Other: _____. |
|---|---|

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Appeal Brief filed on 02/07/08. Claims 1-5 are pending.

2. In view of the Appeal Brief filed on 3/7/07 PROSECUTION IS HEREBY REOPENED as set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options;

(1) file a reply under 37 C.F.R 1.111 (if this Office action is non-final) or a reply under 37 C.F.R 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 C.F.R 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 C.F.R 1.193) (b)(2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hardy et al. (5,287,270) in view of Cool (5,218,632).

(A) As per claim 1, Hardy discloses a method of editing an electronic bill image having an appearance associated therewith, the electronic bill image having a number of records (See Hardy, Col.8, lines 63-68), the electronic bill image being stored in a computer implemented billing system, each record having an assigned charge type identifier (CTI) stored in the computer implemented billing system (See Hardy, Fig..1; Col. 8, lines 55-68 to Col.9, line 16).

Hardy does not explicitly disclose that the method having a format of the appearance of the electronic bill image being dependent on the CTIs of the respective records, the method including the steps of establishing a set of data structures, converting each record of the bill image into a record held in one or more of the data structures in dependence on the CTI of the respective bill image record, editing one or more of the records held in the data structures, and using the records held in the data structures to create a new electronic bill image, the new electronic bill image having a new appearance.

However, this feature is known in the art, as evidenced by Cool. In particular, Cool suggests that the method having a format of the appearance of the electronic bill image being dependent on the CTIs of the respective records, the method including the steps of establishing a set of data structures, converting each record of the bill image into a record held in one or more of the data structures in dependence on the CTI of the respective bill image record, editing one or more of the records held in the data

structures, and using the records held in the data structures to create a new electronic bill image, the new electronic bill image having a new appearance (See Cool, Col.5, lines 16-63; Col.13, lines 37-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Cool within the system of Hardy with the motivation of providing a billing record within the charging system of a stored program controlled communications exchange operated by a telecommunications administration in which charging analysis is performed on each call and data and pointers to first and second locations are produced based upon the type of call (See Cool, Col.3, lines 29-34).

(B) As per claim 2, Cool discloses a method comprising the further step of processing each record held in the data structures in dependence on its assigned CTI to create the new electronic bill image, the format of the appearance of the new electronic bill image being dependent on the CTIs of the records (See Cool, Col.5, lines 16-63).

The motivation for combining the respective teachings of Hardy and Cool are as discussed in the rejection of claim 1 above, and incorporated herein.

(C) As per claim 3, Cool discloses a method in which each record of the electronic bill image relates to one of a group consisting of a call charge (See Cool, Fig.8; Col.9, lines 55-68).

The motivation for combining the respective teachings of Hardy and Cool are as discussed in the rejection of claim 1 above, and incorporated herein.

(D) As per claim 4, Hardy discloses a computer implemented bill image editor comprising: at least one computer readable memory storing computer executable instructions for performing the method of a selective one of claims 1 to 3 (See Hardy, Col.7, lines 11-54).

(E) As per claim 5, Hardy discloses a computer implemented electronic bill image editing system for editing an electronic bill image having an appearance associated therewith, the system comprising: means for establishing a set of data structures (See Hardy, Col.8, lines 63-68); means for converting each record of an electronic bill image into a record held in one or more of the data structures in dependence on an assigned charge type identifier of a respective bill image record (See Hardy, Fig..1; Col. 8, lines 55-68 to Col.9, line 16).

Cool does not explicitly disclose that the system having means for editing of one or more of the records held in the data structures; and, means for creating a new bill image using the records held in the data structures, the new electronic bill image having a new appearance.

However, this feature is known in the art, as evidenced by Cool. In particular, Cool suggests that the system having means for editing of one or more of the records held in the data structures; and create a new bill image using the records held in the

data structures; and, means for creating new bill image using the records held in the data structures, the new electronic bill image having a new appearance (See Cool, Col.5, lines 16-63; Col.13, lines 37-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Cool within the system of Hardy with the motivation of providing a billing record within the charging system of a stored program controlled communications exchange operated by a telecommunications administration in which charging analysis is performed on each call and data and pointers to first and second locations are produced based upon the type of call (See Cool, Col.3, lines 29-34).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3687

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vanel Frenel/

Examiner, Art Unit 3687

April 26, 2008